

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

SILVER PACIFIC INVESTMENTS, INC., Case No. 1:23-CV-01938

Plaintiff,

-vs-

JUDGE PAMELA A. BARKER

JEFFREY CRISE,

Defendant.

**MEMORANDUM OPINION AND
ORDER**

Currently before the Court is Plaintiff Silver Pacific Investments, Inc.’s (“SPI”) Request for Clerk’s Entry of Default Judgment Against Defendant Jeffrey Crise filed on December 7, 2023 (“Plaintiff’s Motion”). (Doc. No. 7.) The Court will construe Plaintiff’s Motion as a Motion for Default Judgment for consideration by this Court, and not the Clerk of Courts. Defendant Jeffrey Crise has not filed a response or opposition to Plaintiff’s Motion. Therefore, Plaintiff’s Motion is ripe for a decision.

The record reflects the following. On October 4, 2023, SPI filed a Complaint against Defendant in this Court demanding payment due to, among other things, Defendant’s liability under the Carmack Amendment, 49 U.S.C. § 14706 and breach of the Broker/Motor Carrier Agreement that Defendant, as owner of Hot Shootins Hauling had agreed he was authorized to enter into on behalf of his company and did enter into with SPI. (Doc. Nos. 1, 1-1, PageID # 25.) On that same date, the Clerk of this Court issued a Summons as to Defendant. (Doc. No. 3.) On October 19, 2023, SPI filed a Notice of Proof of Service and attached Affidavit, notifying the Court that Defendant had been served with the Summons and Complaint on October 17, 2023. (Doc. Nos. 4, 4-1.) On December 1, 2023, SPI filed an Application for Entry of Default and an Affidavit in support thereof, asserting that

Defendant had been served with the Summons and Complaint via his company's registered agent in Ohio. (Doc. Nos. 5, 5-1.) On December 4, 2023, the Clerk entered default against Defendant. (Doc. No. 6.)

Accordingly, having been served on October 17, 2023, Defendant was required to answer or otherwise respond to the Complaint on or before November 7, 2023, but Defendant has failed to do so, and to date has not answered or otherwise responded to the Complaint, or Plaintiff's Motion.

This Court has considered Plaintiff's Motion, the Declaration attached thereto, and all other documents in support of Plaintiff's Motion, and finds it to be well-taken. Specifically, this Court finds that SPI's damages are for a sum certain amount, and the Court hereby grants Plaintiff's Motion for Default Judgment, as authorized by Fed. R. Civ. P. 55(b)(1), in the amount of Twenty-One Thousand Three Hundred Thirty-Eight Dollars and Seventy-Three Cents (\$21,338.73), plus post-judgment interest.

IT IS SO ORDERED.

Date: February 23, 2024

s/Pamela A. Barker
PAMELA A. BARKER
U. S. DISTRICT JUDGE